



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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February 14, 1994

Mr. Gail Schmardebeck  
3MR Corporation  
1735 South 1045 West  
Salt Lake City, Utah 84104

Re: Amended Notice of Intent to Conduct Small Mining Activities, Cedar Mountain Calcium Carbonate Project, S/045/045, Tooele County, Utah.

Dear Mr. Schmardebeck:

Thank you for your Notice of Intention to Commence Small Mining Operations (NOI), received by the Division February 7, 1994. This project is located in Sections 18 and 19, T1S, R9W, Tooele County Utah. As it is in the same location as the White King/Dumpy project, this notice is considered an amendment to that project. This notice does not satisfy the requirements of Rule R647-3 of the Utah Mined Land Reclamation Act of 1975, Title 40-8, Utah Code Annotated (the Act). The following issues remain to be resolved before we can determine that the application is complete:

1. Your application outlines a number of "possible" mining-related activities that may take place on the project area. In order for us to accept your notice as complete we need a clear identification of the actual activities that will be conducted on the site. Please identify the actual activities that will definitely take place under this notice. You may amend your application at any time by notifying us in writing of other mining activities that you may wish to conduct within the project area (e.g., construction of a new pit, storage/stockpile area, new road, etc.).
2. Sufficient justification has not been provided for us to approve your variance request from Rule R647-3-109.7--Highwalls. You have supplied good examples of highwalls in other locations stabilized at angles greater than 45°, but you have not described the highwall stabilization methods you propose. Also, the Division cannot grant a blanket variance for all highwalls created during the life of this project. Each variance is considered on a site-specific basis. Before we can approve of your variance request, the Division needs a description of the affected area, a justification for the



Page 2  
Gail Schmardebeck  
S/045/045  
February 14, 1994

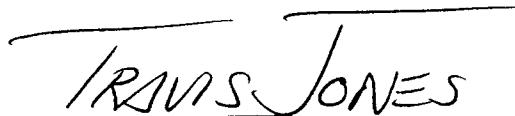
variance request, and a description of the alternate measures to be utilized that are consistent with the Act. The Division will need to perform a site inspection to confirm the variance justification. The earliest the Division can schedule an inspection is sometime in March. Please let us know of a time that would be good for you. We cannot determine your application complete until the variance request is resolved.

Because highwalls are difficult to revegetate, topsoil and/or revegetation variances are often requested along with highwall variances. If no variance is requested, then the operator will be expected to achieve the 70% revegetation standard of the premining vegetative ground cover as required by Rule R647-3-109.13. Therefore, you may want to reevaluate the onsite conditions and your mine development plans to decide if you can achieve the topsoiling and revegetation standards for the highwall areas.

Regarding the Division's classification of your project, the descriptions you furnished have led us to believe this operation will be continuous in nature (i.e., more than one year), and that a considerable amount of material may be excavated. For these reasons, the Division will continue to categorize your operation as a small mine.

The Division will suspend further review of your NOI until the additional information is received. Thank you for your cooperation and patience in completing this permitting action. If you have any questions please call me or Wayne Hedberg of the Minerals staff.

Sincerely,

A handwritten signature in black ink that reads "TRAVIS JONES". The signature is written in a cursive style with a horizontal line above the name.

Travis W. Jones  
Reclamation Hydrologist  
Minerals Reclamation Program

jb  
cc: Mike Ford, BLM Pony Express RA  
Minerals File  
S045045.let